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Despite protests, more Koreans caught in scam get trial notices

By Jessie Mangaliman
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The federal government has stepped up efforts to deport hundreds of Bay Area Korean immigrants caught in a green card scam involving a former San Jose immigration official, despite pressure from local legislators and community leaders to suspend the proceedings until an investigation is conducted.

In recent weeks, at least 78 of the estimated 265 immigrants have received notices for deportation trials in the fall, according to a lawyer representing 95 of the immigrants. Just two months ago, only 17 had received such notices.

``It's scary," said Alex Park, the Santa Clara attorney who represents many of the Korean immigrants. ``What it tells me is the government is proceeding at a rapid pace."

Last month, the fourth immigrant to go to trial, a San Jose resident, lost his bid to remain in the United States. Park said he is appealing the case.

Sharon Rummery, spokeswoman for the San Francisco office of the Bureau of Citizenship and Immigration Services, declined to say whether all 265 immigrants have been scheduled for deportation hearings.

``Legislators have asked us to look at these cases, and that's what we've done," Rummery said. ``We're really looking into whether people have the legal right to remain in the U.S., or if they qualify today for a green card."

In January, Reps. Mike Honda, D-Campbell, and Zoe Lofgren, D-San Jose, asked U.S. Attorney General John Ashcroft and the BCIS to suspend deportation proceedings while individual reviews of the cases were conducted. A month later, state Assemblyman Manny Diaz, D-San Jose, joined a number of immigrant community leaders in a similar request.

``He's not happy at all about this," Ruben Pulido, Honda's press secretary, said Thursday. ``It seems the BCIS is ready to deport these immigrants."

Next week, Honda will request a meeting with BCIS officials and ask Congress to conduct an oversight hearing on the cases, Pulido said.

``The congressman wants to bring a national spotlight on this issue," he said.

In a series of articles in January, the Mercury News detailed the plight of the mostly Korean immigrants who were issued fraudulent green cards by Leland Dwayne Sustaire, a former veteran supervisor with the Immigration and Naturalization Service, now known as the BCIS.

Sustaire admitted in federal court that he took as much as \$500,000 in bribes from immigration consultants in exchange for the green cards. He avoided jail time by providing government prosecutors with a list of at least 265 green cards that he said he issued in exchange for bribes.

Many of the immigrants -- Bay Area business owners, research scientists, church pastors and high-tech professionals -- said they did not know of the bribe scheme between Sustaire and the consultants they hired to help them obtain green cards. The scheme began in 1984 and continued for 12 years.

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Park said his clients entered the country legally and qualified for the permanent residency they sought.

H. Ahn, a Palo Alto mother of two children, received her trial notice earlier this month. She came to the United States from Seoul, Korea, in 1988 with her husband, a foreign student at the time. The couple, who own a successful retail business in the Bay Area, asked not to be identified.

Their children, ages 14 and 11, were born in Boston, and Ahn worries about their future if she is deported.

``They're American kids," Ahn, 39, said. ``Do I take them to Korea? How will they adjust? Do I leave them behind? Who's going to take care of them? If I leave them here, will I be able to visit them?"

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